IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 20TH MARCH 2007 / 29TH PHALGUNA 1928

Bail Appl..No. 1471 of 2007()

CRIME NO.36/2007 OF MARGOA TOWN POLICE STATION

PETITIONER

ANIL RETNAKAR SHET, S/O.LATE
D.S.RATNAKAR, AGED 49 YEARS, PARADISE,
HOUSE NO.10/525, AMARAVATHY, KOCHI-682 001.

BY ADV. SRI.SHAJI P.CHALY

RESPONDENTS:

---

1. STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. CIRCLE INSPECTOR OF POLICE,
FORT KOCHI, ERNAKULAM DISTRICT.

3. STATION HOUSE OFFICER,
MARGOA TOWN POLICE STATION,
MARGOA, GOA.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 1471/2007

Dated this 20th day of March, 2007

O R D E R

The petitioner who is the accused in Crime No.36/2007 of Margoa Town Police Station for an offence punishable under Section 364 IPC for allegedly kidnapping his own daughter, Anisha, now aged 18, seeks anticipatory bail.

2. The learned counsel for the petitioner had asserted that the petitioner's daughter, Anisha, had come from Goa to the house of the petitioner at Fort Kochi on her own accord and that she has attained majority. In view of the above submission, the petitioner was directed to produce the girl before the concerned Magistrate who was directed to record the statement of Anisha and forward the same to this Court. Accordingly, Anisha was produced before the J.F.C.M-I, Kochi, on 14.3.2007 who recorded the statement of Anisha. The said statement has been forwarded to this Court. It show that the girl has attained majority and she came to Fort Kochi on her own accord to meet her father and she is not under the forcible custody of any person and that she had left her house at Margoa without telling her mother.

3. Such being the position, I am inclined to grant anticipatory bail to the petitioner. Accordingly, a direction is issued to the Investigating Officer to release the petitioner on bail for a period of three months in the event of his arrest in connection with the above case on his executing a bond for Rs. 10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction to the said officer and subject to the following conditions:

(a). The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

(b). The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

(c). Petitioner shall not commit any offence while on bail.

(d). Petitioner shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

4. If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

5. It shall be open to the petitioner to apply for a certified copy of the statement of Anisha, forwarded to this Court by the J.F.C.M-I, Kochi.

The application is allowed as above.

V.RAMKUMAR,
JUDGE

mrcs